

REMARKS

The Examiner has advanced a Restriction Requirement.

With respect to the restriction requirement, the Examiner requires Applicants to elect one of two (2) inventions or groups of inventions which allegedly are not so linked as to form a single general inventive concept under PCT Rule 13.1.

Group I claims 1-5, 7-10, 19, 21, 23-29, 31-33 and 35-38 drawn to methods of screening using cells co-expressing a cell surface receptor protein and a neurotransmitter transport protein specific for a ligand of said cell surface receptor protein; and

Group II, claim 34, drawn to host cells transformed with a nucleic acid construct under conditions favoring expression of a least one metabotropic glutamate receptor protein on a surface of said cells and a non-human neurotransmitter protein specific for a ligand of said receptor protein.

The Office Action further requires that Applicants elect a species as to the cell surface receptor protein, namely mGluR1-8 and as to the measurable cellular response: 1) change in intracellular calcium concentration, 2) change in level of inositol phosphate, change in cyclic AMP release, and 4) change in membrane potential.

Applicants elect the invention define by Group I (claims 1-5, 7-10, 19, 21, 23-29, 31-33, and 35-38) without prejudice to the prosecution of the non-elected claims in a related patent application. The requirements for rejoinder of the nonelected process invention set forth in the Office Action are acknowledged and noted. In order to be fully responsive, Applicants elect mGluR4 as the species of cell surface receptor protein and 1) change in intracellular calcium concentration as the species of measurable cellular response. Claims 1-5, 7-10, 19, 21, 23-24, 26-29, 31-33, and 35-38 read on the elected species, mGluR4, and claims 1-3, 7, 19, 23-28, 31-33, and 35-38 read on the elected species, change in intracellular calcium concentration.

It is believed that the claims are in a condition for allowance and a notice to that effect is earnestly solicited.

If the Examiner believes that a telephone conference would be of value, she is requested to call the undersigned counsel at the number listed below.

Any additional fees required in connection with this submission may be taken from Merck Deposit Account No. 13-2755.

Respectfully submitted,

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Date: February 22, 2008

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

Merck & Co., Inc.

By: Harry Reynolds Date: 2/22/08